UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/23139
14 October 1991
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 13 OCTOBER 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the pleasure to enclose herewith a letter dated 13 October 1991 from Mr. Ahmad Hussein, Minister for Foreign Affairs of the Republic of Iraq, concerning a violation by Israeli military aircraft that coincided with a flight of helicopters being used by United Nations inspectors in the same area as the Israeli violation.

I should be grateful if you would have this letter and its annex distributed as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative

Annex

Letter dated 13 October 1991 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I have the honour to draw your attention to the following two letters addressed to you: the first, dated 6 October 1991, concerns a violation by Israeli military aircraft of Iraqi airspace in western Iraq on 4 October 1991, which coincided with a flight of United Nations helicopters in the same area. The second letter, dated 12 October 1991, concerns a statement made on 9 October 1991 by Marlin Fitzwater, spokesman for the White House in the United States of America, in which he stated that the United States authorities would provide Israel with any information they obtained about Iraq.

I should like here to refer to a matter of considerable importance and sensitivity which will require from you and from the Security Council the necessary serious consideration.

On Friday, 4 October 1991, four Israeli AF-15 fighter-bombers violated Iraqi airspace. This serious violation coincided with a flight of helicopters being used by United Nations inspectors in the same area. The Israeli aircraft were flying in close military formation with the United Nations aircraft, and this could well have caused a tragic accident involving the United Nations aircraft if the Israeli war-planes had attacked targets in the area of Iraqi territory.

The fact that Israeli military aircraft violated the airspace of western Iraq at the same time as United Nations aircraft were flying over the same area was no coincidence: rather, this was deliberate and constituted one of Israel's objectives. Moreover, it is clear that this could cause our anti-aircraft defences to assess the situation wrongly and to target the United Nations aircraft when these defences were in a state of alert, expecting hostile aircraft to violate Iraqi airspace.

The presence of United Nations aircraft over western Iraq at the same time as Israeli war-planes violated that airspace prevented Iraq from taking the necessary anti-aircraft defence measures to repel the Israeli aggression against our airspace.

We are entitled to ask: what would happen if Israeli aircraft reached Baghdad or any other place in Iraq and attacked us, taking advantage of the presence of United Nations aircraft in the airspace over that area?

Such a case, which is extremely probable, would put us in a difficult position, since we would either take action to repel Israeli aggression, thereby exposing United Nations aircraft to danger, or be unable to defend our country, leaving the Israelis to strike any targets they deemed fit. It should be noted in particular that the Israelis have asserted in more than one

official statement that they will continue their violations of Iraqi airspace, claiming that that is one of their duties in maintaining the security of Israel.

We have raised this matter forcefully and in detail with Mr. Rolf Ekéus, Chairman of the Special Commission, during his latest visit to Baghdad from 4 to 6 October 1991.

I urge that you give consideration to this matter, and that either you or the Security Council take the necessary measures to ensure that Israel will not repeat its violations of Iraqi airspace, and give assurances of that. Otherwise, in the event of renewed Israeli aggression against our airspace when United Nations aircraft are present in the same area, we shall not be responsible for the safety of those aircraft and of any United Nations inspectors on board as we respond to aggression by Israeli war-planes in defence of our country and our interests. This is a legitimate right guaranteed under international law and the Charter of the United Nations.

I cannot but express my regret at the failure of the Security Council to respond forcefully to the serious, aggressive conduct manifested by Israel against Iraq, and I can only say that the position taken by the Security Council up to this time confirms once again the pursuit of a policy of double standards and two different yardsticks.

I should be grateful if you would reply to this letter, and I request you to have it distributed as a document of the Security Council.

(Signed) Ahmad HUSSEIN
Minister for Foreign Affairs of
the Republic of Iraq

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/23140
14 October 1991
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 13 OCTOBER 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 12 October 1991 from Mr. Ahmad Hussein, Minister for Foreign Affairs of the Republic of Iraq, concerning the statement made on 9 October 1991 by Marlin Fitzwater, the White House spokesman, to the effect that the United States of America is providing Israel with the intelligence it has obtained on Iraq.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative

Annex

Letter dated 12 October 1991 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I have the honour to refer to our letter to you of 6 October 1991 concerning the penetration of Iraqi airspace by Israeli war-planes on 4 October and to the reactions subsequently voiced by many countries with regard to the violation of Iraq's airspace and that of other Arab countries. In this connection, the statement made on 9 October 1991 by Marlin Fitzwater, the White House spokesman, in the course of his comments on this action gave us pause. He is reported to have said that the United States understands Israel's concern but that the United States authorities were already providing "Israel" with intelligence on the alleged Iraqi danger and particularly on weapons of mass destruction.

This explicit acknowledgement on the part of the spokesman of the United States White House that the United States Administration is providing Israel with intelligence on Iraqi military secrets exposes the true state of affairs that we have long indicated to you in our letters, namely that the United States is using the Special Commission and the inspection teams as a cover for its espionage activities against Iraq. The information obtained by the United States Administration through the Special Commission and the inspection teams on Iraq's military secrets goes directly to Israel.

I should like to refer you in particular to our letter to you of 19 August 1991 in which I asked to receive from you an assurance that the intelligence and photographs gathered by the United States U-2 spy aircraft would remain in the custody of the United Nations and be used to serve the purposes of the Special Commission established by Security Council resolution 687 (1991). I have not, unfortunately, thus far received from you any such assurance. It has come to light that the intelligence and photographs gathered by this American aircraft, which is flown by an American pilot and takes off from an American base in Saudi Arabia, do not represent an independent source of information but that the intelligence and photographs go first to the United States and then to the party identified by Mr. Fitzwater in his statement.

In another respect, you perhaps recall that in my letter to you of 2 August 1991 I expressed concern at the fact that the Special Commission uses a majority of United States inspectors in the composition of its teams, while no one can be unaware that the United States is persisting in its pursuit of a hostile and biased policy against Iraq. That letter was written following the revelation that the Chief of the sixth inspection team, Mr. David Kay, had transmitted Iraqi documents directly to his superiors in Washington and not to the Special Commission, thereby confirming Iraq's suspicions that the Government of the United States was using the Special Commission and the United Nations as a cover for systematic espionage operations against Iraq. Then, today, there comes the statement of Mr. Fitzwater to complete a circle

of facts that has demonstrated that the intelligence, photographs and documents gathered by the Special Commission are ultimately going to Israel. This represents a grave threat to Iraq's national security and is incompatible with the role of an Organization among whose priorities is the preservation of the sovereignty and territorial integrity of its Member States.

In light of the facts we have referred to above and in light of the recent military and media escalation against Iraq, among whose manifestations has been the recent Israel violation of Iraq's airspace and that of other Arab States, we urge you to re-examine the procedures and practices of the Special Commission in order to ensure that they do not exceed its mandate as laid down in Security Council resolution 687 (1991).

That you should make such a re-examination is a pressing matter that is enjoined by the need to preserve the credibility of the United Nations and of its role as set forth in the Charter, and in particular with regard to respect for Iraq's sovereignty and territorial integrity, just as it is required by the constraints of preserving the security and stability of the region.

We request you to have this letter circulated as a document of the Security Council.

(Signed) Ahmad HUSSEIN
Minister for Foreign Affairs

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/23141
14 October 1991
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 13 OCTOBER 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I am pleased to transmit herewith a letter dated 13 October 1991 from Mr. Ahmad Hussein, Minister for Foreign Affairs of the Republic of Iraq, concerning the protest of the Iraqi Government at Turkey's violation of Iraq's territorial integrity.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative

Annex

Letter dated 13 October 1991 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I have the honour to refer to the statement made by the Prime Minister of Turkey, Mr. Mesut Yilmaz, in Ankara on 11 October 1991 that, on Friday, 11 October 1991, the Turkish Air Force had carried out an aerial operation in northern Iraq in which eight Turkish warplanes crossed the Iraqi border to the south of Çukurca in the Hakkâri area. They penetrated to a distance of 7 kilometres inside Iraqi territory, bombed the Iraqi villages of Banik, Shilan, Siyar, Sirya and Bighufa in that area and used napalm bombs against civilians in those villages. Initial press reports mentioned the wounding of at least five persons as a result of this savage bombardment.

This flagrant violation of the territory of the Republic of Iraq and its sovereignty and territorial integrity constitutes a clear breach of the United Nations Charter, the norms of international law and the Iraq-Turkey border treaty of 1926. The continuation of these violations will be extremely damaging to relations of good-neighbourliness and cooperation between the Iraqi and the Turkish peoples.

In registering the protest of the Republic of Iraq at this behaviour, I wish to inform you that the Iraqi Government reserves Iraq's full right to take such action as it deems appropriate under international law and the United Nations Charter with regard to the violations committed against its territory and its national territorial integrity.

In informing you of this blatant violation of the sovereignty and integrity of Iraqi territory, we request you to intervene and to take immediate measures to put an end to these violations, which are, first and foremost, damaging to the credibility of the United Nations and its role in protecting the independence and territorial sovereignty of Member States.

I request you to have this letter circulated as a document of the Security Council.

(Signed) Ahmad HUSSEIN
Minister for Foreign Affairs

UNITED
NATIONS

S

Security Council

Distr.
GENERAL
S/23142
14 October 1991
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 14 OCTOBER 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government and further to our previous letters concerning violations by Kuwait of the provisions of the cease-fire between Iraq and Kuwait established by Security Council resolution 687 (1991), I should like to inform you of some fresh occurrences of such violations. They are as follows:

1. At 0640 hours local time on 2 October 1991, a military aircraft coming from the direction of Kuwait penetrated Iraqi airspace to a depth of three kilometres over the Safwan area, headed towards the Jabal Sanam area at coordinates 542320 and then returned to Kuwaiti airspace.

2. At 1130 hours local time on 4 October 1991, three Kuwaiti Chevrolet pick-up trucks transporting an armed unit opened fire on the Iraqi Police force stationed at coordinates 587314 on the Iraqi side of the demilitarized zone.

3. At 2110 hours local time on 4 October 1991, a fighter aircraft coming from inside Kuwait penetrated Iraqi airspace in the direction of the Safwan area at a speed of 800 kilometres per hour and at very low altitude. It then turned off in the direction of Jabal Sanam and returned to Kuwaiti airspace. At 2330 hours on the same day, the same one-aircraft sortie was repeated.

In informing you of these flagrant Kuwaiti violations of the terms of the cease-fire between the two countries, I request to you, in accordance with the provisions of the Charter of the Organization and the principles that it enshrines, to take appropriate measures to bring them to a halt and to prevent any future repetition.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative

91-33907 2587c (E)

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/23143
14 October 1991
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 14 OCTOBER 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government I wish to inform you that United States aircraft have continued to violate Iraqi airspace as follows:

I

1. United States aircraft have continued to violate Iraqi airspace for the purpose of observation and provocation. On 10 October 1991, their air activity amounted to 26 sorties flown by 12 two-aircraft formations and two single aircraft at a speed of 750 kilometres per hour and at altitudes of 2,000 to 18,000 metres. It was concentrated over the areas of Mosul, Arbil, Dohuk, Tall'afar, Amadiyah and Zakho.

2. At 1340 hours on the same day, two F-16s overflew Firnas airfield at a speed of 750 kilometres per hour and at an altitude of 1,000 metres. At 1746 hours an F-111 overflew the same airfield at a speed of 500 kilometres per hour and at an altitude of 1,500 metres. At 1430 hours on the same day, two F-16s overflew Faruq airfield at a speed of 600 kilometres per hour and at an altitude of 300 metres.

II

1. On 11/12 October 1991, United States aircraft continued to violate Iraqi airspace for the purpose of observation and provocation by means of 36 sorties flown by 18 formations at speeds of 600 to 750 kilometres per hour and at altitudes of 2,000 to 10,000 kilometres.

2. Air activity was concentrated over the areas of Mosul, Arbil, Dohuk, Zakho, Dukan, Ayn Zalah, Rawanduz and Amadiyah.

3. At 0852 hours, a formation consisting of two F-16s overflew Faruq airfield at a low altitude and at a speed of 600 kilometres per hour, and at 0915 hours, two aircraft of the above-mentioned type overflew Firnas airfield at a low altitude also.

III

1. On 12/13 October 1991, United States air activity in Iraqi airspace amounted to 36 sorties flown by 17 two-aircraft formations and two single aircraft at speeds of 480 to 1,000 kilometres per hour and at altitudes of 600 to 6,000 metres. The purpose was observation and provocation, and the flights were concentrated over the areas of Amadiyah, Zakho, Ayn Zalah and Rawanduz.

2. At 1205 hours on the same day, a Mirage F-1 overflew Faruq airfield at an altitude of 20 metres and at a speed of 700 kilometres per hour.

3. At 1425 hours on the same day, two F-16s overflew Faruq airfield at an altitude of 100 metres and at a speed of 600 kilometres per hour.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative